

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

JORETTA BEARD,)	
)	
Plaintiff,)	
)	
v.)	Case No. 05-3437-CV-S-NKL
)	
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

Pending before the Court is Joretta Beard's ("Beard") Motion for Attorney's Fees Under the Equal Access to Justice Act [Doc. # 14]. For the reasons set forth below, the Court grants Beard's Motion.

In an Order dated June 22, 2006, the Court reversed the decision of the ALJ and remanded for a new Residual Functional Capacity analysis that identifies each severe impairment, including Beard's depression. In addition, the June 22, 2006 Order instructed the ALJ to follow the requirements of SSR 85-28 and 96-8p.

Beard subsequently filed her pending Application wherein she requested attorney's fees. Pursuant to 28 U.S.C. § 2412, the Court may award reasonable attorney's fees to the prevailing party in any civil action brought against any official of the United States acting in his or her official capacity. The parties agree that Beard's attorney is entitled to \$3,268.69 in fees. After consideration, the Court finds that the fees agreed to by the parties are reasonable.

Accordingly, it is hereby

ORDERED that Beard's Motion for Attorney's Fees [Doc. # 14] is GRANTED.

Beard's attorney is awarded \$3,268.69 in attorneys' fees, which shall be made payable to

The Law Offices of Daniel A. Parmele, P.C., attorney for Beard.

s/ Nanette K. Laughrey
NANETTE K. LAUGHREY
United States District Judge

Dated: September 26, 2006
Jefferson City, Missouri